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FILED
Clerk
District Court

JAN 26 2006

Attorneys for Plaintiff

For The Northern Mariana Islands
By _____
(Deputy Clerk)

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

ANGELO M. LABORCE,

Civil Action No. 05-0036

Plaintiff,

**DECLARATION OF
MARIA GRACIA BOONGALING
IN SUPPORT OF
MOTION FOR ENTRY OF
DEFAULT
(JOHN GERALD PANGELINAN)**

v.

S-WON INC., P&S, INC., YOUNG
KYUN KIM, JOHN GERALD
PANGELINAN, DANIEL MUNA
QUITUGUA, DARREL MUNA
QUITUGUA and JOE CRISOSTOMO,

**Date: N/A
Time: N/A
Judge: Alex Munson**

Defendants.

I, MARIA GRACIA N. BOONGALING, declare that if called as a witness, I
would competently testify to the following:

1. That I am not a party in the above entitled action.
2. I am an assistant to Mark K. Williams and Eric S. Smith, attorneys for
Plaintiff in the above captioned matter.
3. I served the Summons and Complaint in this matter to John Gerald
Pangelinan, through U.S. Mail, postage prepaid, return receipt requested and addressed
to: the Federal Detention Center, Victorville USP, PO Box 5000, Adelanto, CA, 92301. A
true and correct copy of the return receipt is attached hereto as Exhibit "1."

AO 440 (Rev. 10/93) Summons in a Civil Ac

United States District Court

DISTRICT OF

ANGELO M. LABORCE

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: CV 05 - 0036

S WON, INC., P&S, INC., YOUNG
KYUN KIM, JOHN GERALD PANGELINAN,
DANIEL MUNA QUITUGUA, DARREL MUNA
QUITUGUA and JOE CRISOSTOMO

**COPY of
Original Filed
on this date**

TO: (Name and address of defendant)

JOHN GERALD PANGELINAN
Saipan MP 96950

**Clerk
District Court
For The Northern Mariana Islands**

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

SMITH & WILLIAMS
PO BOX 5133 CHRB
Saipan MP 96950

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

GALO L. PEREZ

CLERK

DATE

NOV - 8 2005

(BY) DEPUTY CLERK

W. J. Q. C.
— EXHIBIT "1"

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹

DATE

11/9/05

NAME OF SERVER (PRINT)

MARIA GRACIA N. BODNEALING

TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): SENT THE DOCUMENTS VIA CERTIFIED MAIL, POSTAGE PREPAID,
RETURN RECEIPT REQUESTED, TO DEFENDANT AT THE FOLLOWING ADDRESS:
FEDERAL DETENTION CENTER, VICTORVILLE USP, PO BOX 5000,
ADELANTO, CA 92301 (SEE ATTACHED)

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

11/10/05

Signature of Server

PO BOX 5133 CHRB SAIPAN MP 96950

Address of Server

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

7000 1670 0001 2880 7146	
7000 1670 0001 2880 7146	
OFFICIAL U.S. Postal Service CERTIFIED MAIL (Domestic Mail Only; No Ins.)	
Sent To: JOHN GERALD Street, Apt. No., or PO Box No.: PO Box 5000 City, State, ZIP+4: Adelanto CA 9	Postage \$ Certified Fee \$ Return Receipt Fee (Endorsement Required) \$ Restricted Delivery Fee (Endorsement Required) \$ Total Postage & Fees \$

SMITH & WILLIAMS
 ATTORNEYS-AT-LAW
 P.O. BOX 5133 CHR
 SAIPAN, MP 96950

TO John Gerald Pangelinan
 Inmate No. 00460-005
 Federal Detention Center
 Victorville USP
 PO Box 5000
 Adelanto CA 92301

Legal Mail, Open In the Presence of
 Inmate Only

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: JOHN GERALD PANGELINAN Inmate No. 00460-005 Federal Detention Center Victorville USP PO Box 5000 Adelanto CA 92301		4a. Article Number 7000 1670 0001 2880 7146	
5. Received By: (Print Name) WILLIAMS		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
6. Signature: (Addressee or Agent) X [Signature]		7. Date of Delivery 11-16-05	
		8. Addressee's Address (Only if requested and fee is paid)	

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

MEMORANDUM

CLIENT: LABORCE

DATE: November 22, 2005

John Pangelinan, one of the Defendants in the case, called to ask why he was sued by Laborce. When I reminded him that he shot Laborce while robbing the poker place, he said that the employer should pay for Laborce's expenses not him. I told him to get legal advise since I am not an attorney. He said that he will be in prison for the next 24 years and will not be able to pay Laborce anything. [He seems to think that because he is in prison that he should not be sued.] He hang up the phone when I told him that a lawsuit is a lawsuit and that he has 20 days to file an answer to the complaint.

FYI.


— EXHIBIT "2"